

(2) No child shall be placed by the Board or by the local educational agency in a private or out-of-state school unless the Board has determined that the school meets standards that apply to State and local educational agencies and that the child so placed will have all the rights he would have if served by a State or local educational agency.

(3) If the placement of the child in a private school, out-of-state school or a school in another local educational agency determined by the Superintendent of Public Instruction to be the most cost-effective way to provide an appropriate education to that child and the child is not currently being educated by the Department of Human Resources or the Department of Corrections, the State will bear a portion of the cost of the placement of the child. The local school administrative unit shall pay an amount equal to what it receives per pupil from the State Public School Fund and from other State and federal funds for children with special needs for that child. The State shall pay the full cost of any remainder up to a maximum of fifty percent (50%) of the total cost. The State and local educational agencies shall be excused from payment of the costs of special education and related services in a private school if a child is placed in that school by his parents or guardian against the advice of the State or a local educational agency."

**Sec. 3.** This act shall become effective July 1, 1980.

In the General Assembly read three times and ratified, this the 25th day of June, 1980.

## H. B. 1771 CHAPTER 1300

### AN ACT TO EXCLUDE INDIVIDUALS IN STATE INSTITUTIONS FROM THE FEE FOR THE GENERAL EDUCATION DEVELOPMENT TEST.

*The General Assembly of North Carolina enacts:*

**Section 1.** Section 67 of Chapter 838 of the 1979 Session Laws is amended by adding at the end the following:

"This fee shall not be required from individuals incarcerated or receiving treatment in institutions operated by the Department of Correction and the Department of Human Resources."

**Sec. 2.** This act shall become effective July 1, 1980.

In the General Assembly read three times and ratified, this the 25th day of June, 1980.

## H. B. 1695 CHAPTER 1301

### AN ACT TO MAKE THE EFFECTIVE DATE OF THE INDIVIDUAL INCOME TAX PROVISION FOR THE SALE OF A PRINCIPAL RESIDENCE BY THE ELDERLY THE SAME AS THE FEDERAL PROVISION.

*The General Assembly of North Carolina enacts:*

**Section 1.** G.S. 105-141(b)(26)a. is amended to delete the words and figures "January 1, 1979" and to insert in lieu thereof the words and numbers "July 27, 1978".

**Sec. 2.** Section 102 of Chapter 801 of the 1979 Session Laws of North Carolina is amended to delete the figure "38" and to add the following new language at the end of the section: